

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
62nd LEGISLATURE - REGULAR SESSION**

**HOUSE AGRICULTURE COMMITTEE**

**Date:** Tuesday, March 29, 2011

**Place:** Capitol

**Time:** 3:00<sup>13</sup> PM  
**Room:** 472

**BILLS and RESOLUTIONS HEARD:**

None

**EXECUTIVE ACTION TAKEN:**

SD 15	SB 218
SB 126	SB 237
SB 216	SB 296

**Comments:** Executive Action only

  
\_\_\_\_\_  
REP. Krayton Kerns, Chair

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**AGRICULTURE COMMITTEE**

DATE: 3/29/11

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
REP. BOB WAGNER, VICE CHAIR		X
REP. TIM FUREY, VICE CHAIR		X
REP. LEE RANDALL	X	
REP. STERLING SMALL	X	
REP. EDIE MCCLAFFERTY	X	
REP. ALAN HALE	X	
REP. FRANK SMITH	X	
REP. CHRISTY CLARK		X
REP. PAT NOONAN		X
REP. JOE READ	X	
REP. CAROLYN PEASE-LOPEZ		X
REP. BRIAN HOVEN	X	
REP. JOANNE BLYTON	X	
REP. STEVE FITZPATRICK	X	
REP. LILA EVANS		X
REP. KATHLEEN WILLIAMS		X
REP. DAVID HOWARD	X	
REP. MARGARET MACDONALD	X	
REP. JONATHAN MCNIVEN	X	
REP. DANIEL SALOMON	X	
REP. KRAYTON KERNS, CHAIR	X	



## HOUSE STANDING COMMITTEE REPORT

March 29, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Joint Resolution 15** (third reading copy -- blue) be concurred in as amended.

Signed: Krayton Kerns  
Representative Krayton Kerns, Chair

To be carried by Representative Joe Read

And, that such amendments read:

1. Page 2, line 4.

**Following:** "involved;"

**Insert:** "and"

2. Page 2, line 6 through line 8.

**Strike:** "; and" on line 6 through "decisions" on line 8

- END -

**Committee Vote:**

**Yes 19, No 2**

Fiscal Note Required ☐

SJ0015001SC08069.hgh

3/29/11  
H. 5:30



## HOUSE STANDING COMMITTEE REPORT

March 29, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 296** (third reading copy -- blue) be concurred in.

Signed: \_\_\_\_\_

*Krayton Kerns*  
Representative Krayton Kerns, Chair

To be carried by Representative Steve Fitzpatrick

- END -

**Committee Vote:**

**Yes 15, No 6**

Fiscal Note Required ☐

SB0296001SC08072.hgh

11/3/11  
115.3



## HOUSE STANDING COMMITTEE REPORT

March 29, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 237** (third reading copy -- blue) be concurred in.

Signed: Krayton Kerns  
Representative Krayton Kerns, Chair

To be carried by Representative David Howard

- END -

**Committee Vote:**

**Yes 17, No 4**

Fiscal Note Required ☐

SB0237001SC06469.hgh

11/3/29  
5:30



## HOUSE STANDING COMMITTEE REPORT

March 29, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 218** (third reading copy -- blue) be concurred in.

Signed: \_\_\_\_\_

*Krayton Kerns*  
Representative Krayton Kerns, Chair

To be carried by Representative Krayton Kerns

- END -

**Committee Vote:**

**Yes 21, No 0**

Fiscal Note Required ☐

SB0218001SC05187.hgh

11 3/29  
15:30

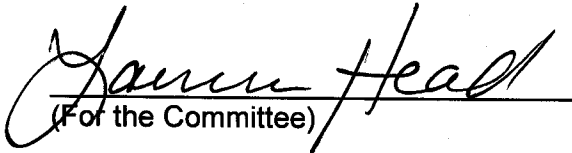
## BILL TABLED NOTICE

### HOUSE AGRICULTURE COMMITTEE



The HOUSE AGRICULTURE COMMITTEE TABLED

**SB 216 - Designate the "code of the west" the "code of Montana"**

, by motion, on Tuesday, March 29, 2011.

  
(For the Committee)

  
(For the Chief Clerk of the House)

 ,   
(Time) (Date)

March 29, 2011

Lauren Head, Secretary

Phone: 4872  
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## HOUSE STANDING COMMITTEE REPORT

March 29, 2011

Page 1 of 2

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 126** (third reading copy -- blue) be concurred in as amended.

Signed:

*Krayton Kerns*  
Representative Krayton Kerns, Chair

To be carried by Representative Daniel Salomon

And, that such amendments read:

1. Title, line 4.

**Following:** "LICENSING"

**Insert:** "REQUIREMENTS AND"

2. Title, line 6.

**Following:** "LICENSURE"

**Insert:** "EXEMPTING CERTAIN FIRMS, NURSERIES, PLANT DEALERS, AND SMALL PLANT VENDORS FROM LICENSURE;"

3. Page 1, line 20.

**Following:** "VENDOR"

**Insert:** "is required to be licensed and"

4. Page 1, line 20 through line 23.

**Following:** "stock" on line 20

**Strike:** remainder of line 20 through "more" on line 23

**Insert:** ", the firm, nursery, plant dealer, or small plant vendor shall obtain a license for each taxpayer identification number the firm, nursery, plant dealer, or small plant vendor uses when selling or distributing nursery stock"

5. Page 1, line 24.

**Following:** "VENDOR"

**Committee Vote:**

Yes 17, No 4

Fiscal Note Required ☐

SB0126001SC08068.hgh

11/3/29  
6:30 PM



**Insert:** "is not required to obtain a license in Montana if the firm, nursery, plant dealer, or small plant vendor:

(i) is"

6. Page 1, line 24 through line 25.

**Strike:** "is not" on line 24 through "if" on line 25

**Insert:** "and"

7. Page 1, line 26.

**Strike:** "basis"

**Insert:** ";

(ii) operates only in Montana and has less than \$1,000 in annual sales of nursery stock; or

(iii) buys all of its nursery stock from one or more licensed firms, nurseries, plant dealers, or small plant vendors.

(c) A firm, nursery, plant dealer, or small plant vendor that is not required to obtain a license pursuant to subsection (1)(b)(iii) shall provide its address or primary business location and the name and contact information of its principal contact person to the department"

8. Page 2, line 2.

**Following:** "earns"

**Insert:** "at least \$1,000 but"

9. Page 2, line 7.

**Strike:** "\$95"

**Insert:** "\$100"

10. Page 2, line 25.

**Following:** "schedule"

**Insert:** ", "

**Strike:** "and"

**Insert:** "the"

11. Page 2, line 27.

**Following:** "pests"

**Insert:** ", and the expected amount of time for the inspections"

- END -

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**AGRICULTURE COMMITTEE**

DATE: 3/29/11 BILL NO SB 294 MOTION NO. 3  
MOTION: Do Concur

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BOB WAGNER, VICE CHAIR		X	
REP. TIM FUREY, VICE CHAIR	X		X
REP. LEE RANDALL	X		
REP. STERLING SMALL		X	
REP. EDIE MCCLAFFERTY	X		
REP. ALAN HALE		X	
REP. FRANK SMITH	X		
REP. CHRISTY CLARK	X		
REP. PAT NOONAN	X		
REP. JOE READ	X		
REP. CAROLYN PEASE-LOPEZ	X		
REP. BRIAN HOVEN	X		
REP. JOANNE BLYTON	X		
REP. STEVE FITZPATRICK	X		
REP. LILA EVANS		X	X
REP. KATHLEEN WILLIAMS	X		
REP. DAVID HOWARD		X	
REP. MARGARET MACDONALD	X		
REP. JONATHAN MCNIVEN	X		
REP. DANIEL SALOMON	X		
REP. KRAYTON KERNS, CHAIR		X	

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**AGRICULTURE COMMITTEE**

DATE: 3/29/11 BILL NO. SB 237 MOTION NO. 4  
 MOTION: Do Concur

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BOB WAGNER, VICE CHAIR	X		
REP. TIM FUREY, VICE CHAIR		X	X
REP. LEE RANDALL	X		
REP. STERLING SMALL	X		
REP. EDIE MCCLAFFERTY	X		
REP. ALAN HALE	X		
REP. FRANK SMITH	X		
REP. CHRISTY CLARK	X		
REP. PAT NOONAN	X		
REP. JOE READ	X		
REP. CAROLYN PEASE-LOPEZ		X	
REP. BRIAN HOVEN	X		
REP. JOANNE BLYTON	X		
REP. STEVE FITZPATRICK	X		
REP. LILA EVANS	X		X
REP. KATHLEEN WILLIAMS		X	
REP. DAVID HOWARD	X		
REP. MARGARET MACDONALD		X	
REP. JONATHAN MCNIVEN	X		
REP. DANIEL SALOMON	X		
REP. KRAYTON KERNS, CHAIR	X		

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**AGRICULTURE COMMITTEE**

DATE: 3/29/11 BILL NO SB 216 MOTION NO. 60  
MOTION: Do Concur

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BOB WAGNER, VICE CHAIR		X	
REP. TIM FUREY, VICE CHAIR		X	X
REP. LEE RANDALL		X	
REP. STERLING SMALL		X	
REP. EDIE MCCLAFFERTY		X	
REP. ALAN HALE	X		
REP. FRANK SMITH		X	
REP. CHRISTY CLARK	X		
REP. PAT NOONAN		X	
REP. JOE READ	X		
REP. CAROLYN PEASE-LOPEZ		X	
REP. BRIAN HOVEN	X		
REP. JOANNE BLYTON		X	
REP. STEVE FITZPATRICK		X	
REP. LILA EVANS	<del>15</del>	X	X
REP. KATHLEEN WILLIAMS		X	
REP. DAVID HOWARD		X	
REP. MARGARET MACDONALD		X	
REP. JONATHAN MCNIVEN	X		
REP. DANIEL SALOMON	X		
REP. KRAYTON KERNS, CHAIR		X	

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**AGRICULTURE COMMITTEE**

DATE: 3/29/11 BILL NO. SB 126 MOTION NO. 11  
 MOTION: Do Concur as Amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BOB WAGNER, VICE CHAIR	X		
REP. TIM FUREY, VICE CHAIR	X		X
REP. LEE RANDALL		X	
REP. STERLING SMALL	X		
REP. EDIE MCCLAFFERTY	X		
REP. ALAN HALE		X	
REP. FRANK SMITH	X		
REP. CHRISTY CLARK	X		
REP. PAT NOONAN	X		
REP. JOE READ	X		
REP. CAROLYN PEASE-LOPEZ	X		
REP. BRIAN HOVEN	X		
REP. JOANNE BLYTON	X		
REP. STEVE FITZPATRICK		X	
REP. LILA EVANS	X		X
REP. KATHLEEN WILLIAMS	X		
REP. DAVID HOWARD	X		
REP. MARGARET MACDONALD	X		
REP. JONATHAN MCNIVEN	X		
REP. DANIEL SALOMON	X		
REP. KRAYTON KERNS, CHAIR		X	

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**AUTHORIZED  
COMMITTEE PROXY**

I request to be excused from the Agriculture Committee

Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

HB 296	X	
HB 237		X
SV 15	X	
SB 218	X	
SB 216		X
SB 126	X	

BILL/AMENDMENT

AYE NO


Rep.

Timothy P. Ferry  
(Signature)

Date 3-29-11

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the Agriculture

Committee because of other commitments. I desire to leave my proxy vote with:

Lyle Evans

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
SB-15	-	-
SB-237	X	
SB-296		X
SB-218	Y	
SB-216		X
SB-126	X	

BILL/AMENDMENT	AYE	NO

Rep. Lyle Evans  
(Signature)

Date 3/29/11